



AF 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

LAPPE, Murray

Serial No. : 09/852,872

Filed: May 10, 2001

CHANGEABLE MACHINE READABLE
ASSAYING INDICIA

Docket No. RE31586

Group Art Unit No. 2882

Examiner: D. Dunn

#6 Response
w/c M. Brunson
2/2/03

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

I hereby certify that this document is being deposited
with the United States Postal Service as first class mail
in an envelope addressed to the Assistant Commissioner
for Patents, Washington, D.C. 20231, on this
28th day of January, 2003

HOVEY WILLIAMS LLP

By: Ratia Kufner

RESPONSE AFTER FINAL REJECTION

In response to the office action dated December 16, 2002, reconsideration of the above application is requested.

Remarks:

Claims 1-14 and 20-22 remain for consideration in this application. The Examiner rejected the above claims as being based on a defective declaration. The Examiner stated that the Applicant needs to "specifically" state at least one error upon which the reissue is based. The Examiner further stated that all the Applicant is required to do is state, for at least one claim, what language has been added or removed to either broaden or narrow the scope.

Attached hereto is a new Reissue Declaration executed by the inventor. The declaration states that "the claims as patented are not directed to an assay arrangement designed for drug screening of an individual comprising assaying indicia which are machine readable only and not

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human interpretable in the absence of machine reading so that others viewing the indicia after contact with a urine sample are unable to directly interpret the results of the individual's drug screening assay without the machine reading." This language is taken directly from reissue claim 20. None of the claims of the original patent contained this limitation. Therefore, Applicant respectfully requests that the rejection of claims 1-14 and 20-22 be withdrawn.

Applicant has enclosed and does hereby surrender the original letters patent for U.S. Patent 5,902,982 in compliance with 37 C.F.R. §1.178.

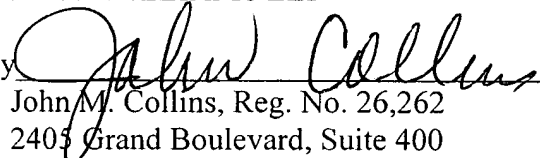
In view of the foregoing, a Notice of Allowance appears to be in order and such is courteously solicited.

Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 19-0522.

Respectfully submitted,

HOVEY WILLIAMS LLP

By



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